



# Town of Groton, Connecticut

45 Fort Hill Road  
Groton, CT 06340-4394  
Town Clerk 860-441-6640  
Town Manager  
860-441-6630

## Meeting Minutes - **Draft**

### Representative Town Meeting

**Moderator Kevin Power, Representatives Jean-Claude Ambroise, Joe Baril, Nancy E. Barnhart, Alicia Bauer, Nancy E. Beckwith, Michael Collins, Nancy M. Congdon, Warren T. Cooper, Luanne E. DeMatto, Syma Ebbin, Nancy E. Gilly, Patrice Granatosky, Dolores Harrell, Keith L. Hedrick, Jonathan Heller, Lynn Crockett Hubbard, Michael Dean Johnson, Rosanne E. Kotowski, Elizabeth Luck, Jackie Massett, Carole McCarthy, Roscoe Merritt, Constance Miller, Karen F. Morton, Scott Newsome, Dana C. Parfitt, Richard J. Pasqualini, Jr., Tim Plungis, Kristen L. Powers, Don Pratt, Betty A. Prochaska, John F. Scott IV, Jack Sebastian, Dana S. Semeraro, Joan Steinfeld, Irma Streeter, Mark Svencer, Archie C. Swindell, Robert A. Warn and Lori A. Watrous**

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Wednesday, November 9, 2011

7:30 PM

Groton Senior Center

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#### Regular Meeting

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#### A. ROLL CALL

*Moderator Kevin Power called the meeting to order at 7:30 p.m.*

*37 members were present, and a quorum was declared.*

*The Moderator reported that Reps. Johnson and Powers called to say they are unable to attend this meeting.*

*Members Present: Moderator Power, Rep. Ambroise, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Collins, Rep. Congdon, Rep. Cooper, Rep. DeMatto, Rep. Gilly, Rep. Granatosky, Rep. Harrell, Rep. Hedrick, Rep. Heller, Rep. Hubbard, Rep. Kotowski, Rep. Luck, Rep. Massett, Rep. McCarthy, Rep. Merritt, Rep. Miller, Rep. Morton, Rep. Newsome, Rep. Parfitt, Rep. Pasqualini Jr., Rep. Plungis, Rep. Pratt, Rep. Prochaska, Rep. Scott, Rep. Semeraro, Rep. Sebastian, Rep. Steinfeld, Rep. Streeter, Rep. Svencer, Rep. Swindell, Rep. Warn and Rep. Watrous*

*Members Absent: Rep. Beckwith, Rep. Ebbin, Rep. Johnson and Rep. Powers*

*Also present were Town Manager Mark Oefinger, Superintendent of Schools Paul Kadri, Town Clerk Betsy Moukawsher and Assistant Town Clerk Sally Whitney.*

#### B. MOMENT OF SILENCE AND SALUTE TO THE FLAG

*The members observed a moment of silence followed by the Salute to the Flag.*

#### C. APPROVAL OF MINUTES OF OCTOBER 12, 2011

*A motion that the minutes be approved was made by Rep. DeMatto, seconded by Rep. Pasqualini.*

*Rep. Sebastian requested that his comments be noted in full under other business.*

*Town Clerk Moukawsher noted that the tape will be reviewed and changes made accordingly. She added that the minutes are not a full transcription of the meeting.*

*Rep. Granatosky, on behalf of Rep. Ebbin, requested a correction to the RTM Education Committee minutes to reflect the fact that Shelly Gardner was a citizen in attendance and not an RTM member.*

*The vote to approve the minutes as amended carried 36 in favor, 1 abstention. (Abstaining: Rep. Harrell.)*

#### D. PRESENTATION OF CERTIFICATES OF APPRECIATION

*Moderator Power presented Certificates of Appreciation to the following outgoing members: Nancy Congdon, Warren Cooper, Nancy Gilly, Carole McCarthy, Karen Morton, Tim Plungis, John Scott and Rob Warn. Absent were Reps. Beckwith, Ebbin and Powers.*

*Town Clerk Betsy Moukawsher presented plaques to Moderator Kevin Power and Rep. Don Pratt for their long and dedicated service to the RTM.*

*Rep. Granatosky thanked Moderator Kevin Power on behalf of all the RTM members for his service.*

*Moderator Power thanked all members for their support and for selecting him to serve as Moderator for the last two years. He mentioned that he is grateful to the members that accepted his appointments as chairpersons. He recognized the floor leaders Patrice Granatosky and Jackie Massett for their diligent service during his term.*

**E. CITIZENS' PETITIONS**

*None.*

**F. RECEPTION OF COMMUNICATIONS**

*None.*

**G. REPORT OF THE TOWN MANAGER**

**1. Financial report**

*Mr. Oefinger reported that the Fund Balance as of June 30, 2011 is approximately \$10 million; the General Contingency balance is \$350,000; the Capital Reserve balance is \$983,011.*

**2. Monthly briefing**

*The Town Manager highlighted various items from the Town Manager's News. He announced the appointment of Michael Crowley as the new Police Chief and Steven Smith as the new Deputy Police Chief.*

*The Manager noted that the Finance Department received the Distinguished Budget Presentation Award for the 18th consecutive year. He commended not only Finance Director Sal Pandolfo and staff, but all staff involved with budget preparation.*

**H. REPORT OF THE SUPERINTENDENT OF SCHOOLS**

*Mr. Kadri provided an excel presentation highlighting a new resource that is being used by teachers to improve analysis and evaluation of student needs and performance levels. In response to Rep. Pasqualini, Mr. Kadri explained the assessment, remedial assistance, tracking and retesting that is part of this intervention program.*

**I. LIAISON REPORTS**

*No reports.*

**J. COMMITTEE REPORTS**

**1. FINANCE - Chairman Hedrick**

*Chairman Hedrick read the minutes of the meeting held on November 9, 2011. (Minutes are attached to the permanent record.)*

*Motion to approve the minutes was made by Rep. Hedrick, seconded by Rep. DeMatto and so voted unanimously.*

**2011-0203 Refunding Prior Years' Bonds (Part 1)**

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$20,000,000 REFUNDING BONDS FOR PAYMENT OF THE OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON ANY PORTION OF THE TOWN OF GROTON'S \$5,700,000 GENERAL OBLIGATION BONDS, ISSUE OF 2002, \$5,005,000 GENERAL OBLIGATION BONDS, ISSUE OF 2005, \$16,570,000 GENERAL OBLIGATION BONDS, ISSUE OF 2006, \$15,500,000 GENERAL OBLIGATION BONDS, ISSUE OF 2007, AND \$4,300,000 GENERAL OBLIGATION BONDS, ISSUE OF 2008 - LOT A; AND COSTS RELATED THERETO

RESOLVED,

(a) That the Town of Groton issue its refunding bonds, in an amount not to exceed TWENTY MILLION DOLLARS (\$20,000,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, and to apply the balance held in such escrows, together with the investment earnings thereon, to the payment in whole or in part, as to be determined by the Town Manager and the Director of Finance of the Town, of the outstanding principal of and interest and any call premium on the Town's \$5,700,000 General Obligation Bonds, Issue of 2002 (consisting at initial issue of \$5,700,000 General Purpose Bonds), \$5,005,000 General Obligation Bonds, Issue of 2005 (consisting at initial issue of \$1,300,000 School Bonds and \$3,705,000 General Purpose Bonds), \$16,570,000 General Obligation Bonds, Issue of 2006 (consisting at initial issue of \$15,000,000 School Bonds and \$1,570,000 General Purpose Bonds), \$15,500,000 General Obligation Bonds, Issue of 2007 (consisting at initial issue of \$15,450,000 School Bonds and \$50,000 General Purpose Bonds), and \$4,300,000 General Obligation Bonds, Issue of 2008 - Lot A (consisting at initial issue of \$3,100,000 School Bonds and \$1,200,000 General Purpose Bonds), including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town does hereby covenant and agree with the holders of the bonds that in each year while any such bonds are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds as the same become due and payable.

(b) The Town Manager and the Director of Finance of the Town shall sign the bonds by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds. The Town Manager and the Director of Finance are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(d) That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the Town Manager and the Director of Finance are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$5,700,000 General Obligation Bonds, Issue of 2002, \$5,005,000 General Obligation Bonds, Issue of 2005, \$16,570,000 General Obligation Bonds, Issue of 2006, \$15,500,000 General Obligation Bonds, Issue of 2007, and \$4,300,000 General Obligation Bonds,

Issue of 2008 - Lot A, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents and others to facilitate the issuance of the refunding bonds, the escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.

(f) That the above authorization to issue refunding bonds shall lapse on June 30, 2012.

Refer to RTM under Rule 6.5.3.

**A motion was made by Rep. Hedrick, seconded by Rep. DeMatto, that this matter be Adopted for November 9, 2011.**

*The Town Manager explained the that Town has the option not to proceed with the refunding depending on the interest rate. He stated that no change to the resolution is necessary and that in fact any changes to the resolution would necessitate that the process start over.*

*In response to Rep. Kotowski, the Manager clarified that the \$138,000 projected savings for FYE2012 would be returned to the General Fund. He noted that a debt service appropriation can only be used for debt service expenditures and if those monies are not used, they automatically revert to the General fund.*

**The motion carried by the following vote:**

**Votes:** In Favor: 37 - Moderator Power, Rep. Ambroise, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Collins, Rep. Congdon, Rep. Cooper, Rep. DeMatto, Rep. Gilly, Rep. Granatosky, Rep. Harrell, Rep. Hedrick, Rep. Heller, Rep. Hubbard, Rep. Kotowski, Rep. Luck, Rep. Massett, Rep. McCarthy, Rep. Merritt, Rep. Miller, Rep. Morton, Rep. Newsome, Rep. Parfitt, Rep. Pasqualini Jr., Rep. Plungis, Rep. Pratt, Rep. Prochaska, Rep. Scott, Rep. Semeraro, Rep. Sebastian, Rep. Steinfeld, Rep. Streeter, Rep. Svencer, Rep. Swindell, Rep. Warn and Rep. Watrous

#### 2011-0208

#### **Refunding Prior Years' Bonds (Part 2)**

RESOLUTION AUTHORIZING THE ISSUANCE OF NOT EXCEEDING \$4,500,000 REFUNDING BONDS FOR PAYMENT OF THE OUTSTANDING PRINCIPAL OF AND INTEREST AND ANY CALL PREMIUM ON ANY PORTION OF THE TOWN OF GROTON'S \$3,000,000 GENERAL OBLIGATION SEWER BONDS, ISSUE OF 2007, AND \$3,250,000 GENERAL OBLIGATION SEWER BONDS, ISSUE OF 2008 - LOT B; AND COSTS RELATED THERETO

RESOLVED,

(a) That the Town of Groton issue its refunding bonds, in an amount not to exceed FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS (\$4,500,000), the proceeds of which are hereby appropriated: (1) to fund one or more escrows, and to apply the balance held in such escrows, together with the investment earnings thereon, to the payment in whole or in part, as to be determined by the Town Manager and the Director of Finance of the Town, of the outstanding principal of and interest and any call premium on the Town's \$3,000,000 General Obligation Sewer Bonds, Issue of 2007, and \$3,250,000 General Obligation Sewer Bonds, Issue of 2008 - Lot B, including the payment of interest accrued on said bonds to the date of payment, and (2) to pay costs of issuance of the refunding bonds authorized hereby, including legal fees, consultants' fees, trustee or escrow agent fees, underwriters' fees, net interest and other financing costs and other costs related to the payment of the outstanding bonds described above. The refunding bonds shall be issued pursuant to Section 7-370c of the General Statutes of Connecticut, Revision of 1958, as amended, and any other enabling acts. The bonds shall be general obligations of the Town secured by the irrevocable pledge of the full faith and credit of the Town. The Town does hereby covenant and agree with the holders of the bonds that in each year while any such bonds are outstanding, it will levy and collect ad valorem taxes upon all taxable properties within the Town, other than properties within the City of Groton, in an amount sufficient, with such other funds of the Town as shall be available for such purpose, to pay the interest and principal on the bonds as the same become due and payable.

(b) The Town Manager and the Director of Finance of the Town shall sign the bonds by their manual or facsimile signatures. The law firm of Day Pitney LLP is designated as bond counsel to approve the legality of the bonds. The Town Manager and the Director of Finance are authorized to determine the amount, date, interest rates, maturities, redemption provisions, form and other details of the bonds; to designate one or more banks or trust companies to be certifying bank, registrar, transfer agent and paying agent for the bonds; to provide for the keeping of a record of the bonds; to sell the bonds at public or private sale; to deliver the bonds; and to perform all other acts which are necessary or appropriate to issue the bonds.

(c) That the Town hereby declares its official intent under Federal Income Tax Regulation Section 1.150-2 that costs of the refunding may be paid from temporary advances of available funds and that (except to the extent reimbursed from grant moneys) the Town reasonably expects to reimburse any such advances from the proceeds of borrowings in an aggregate principal amount not in excess of the amount of borrowing authorized above for the refunding. The Town Manager and the Director of Finance are authorized to amend such declaration of official intent as they deem necessary or advisable and to bind the Town pursuant to such representations and covenants as they deem necessary or advisable in order to maintain the continued exemption from federal income taxation of interest on the bonds authorized by this resolution, if issued on a tax-exempt basis, including covenants to pay rebates of investment earnings to the United States in future years.

(d) That the Town Manager and the Director of Finance are authorized to make representations and enter into written agreements for the benefit of holders of the bonds to provide secondary market disclosure information, which agreements may include such terms as they deem advisable or appropriate in order to comply with applicable laws or rules pertaining to the sale or purchase of such bonds.

(e) That the Town Manager and the Director of Finance are authorized to take all other action which is necessary or desirable to enable the Town to effectuate the refunding of all or a portion of the Town's outstanding \$3,000,000 General Obligation Sewer Bonds, Issue of 2007, and \$3,250,000 General Obligation Sewer Bonds, Issue of 2008 - Lot B, and to issue refunding bonds authorized hereby for such purposes, including, but not limited to, the entrance into agreements on behalf of the Town with underwriters, trustees, escrow agents and others to facilitate the issuance of the refunding bonds, the escrow of the proceeds thereof and investment earnings thereon, and the payment of the outstanding bonds in whole or in part.

(f) That the above authorization to issue refunding bonds shall lapse on June 30, 2012.

Refer to RTM under Rule 6.5.3.

**A motion was made by Rep. Hedrick, seconded by Rep. DeMatto, that this matter be Adopted for November 9, 2011.**

**The motion carried by the following vote:**

**Votes:** In Favor: 37 - Moderator Power, Rep. Ambroise, Rep. Baril, Rep. Barnhart, Rep. Bauer, Rep. Collins, Rep. Congdon, Rep. Cooper, Rep. DeMatto, Rep. Gilly, Rep. Granatosky, Rep. Harrell, Rep. Hedrick, Rep. Heller, Rep. Hubbard, Rep. Kotowski, Rep. Luck, Rep. Massett, Rep. McCarthy, Rep. Merritt, Rep. Miller, Rep. Morton, Rep. Newsome, Rep. Parfitt, Rep. Pasqualini Jr., Rep. Plungis, Rep. Pratt, Rep. Prochaska, Rep. Scott, Rep. Semeraro, Rep. Sebastian, Rep. Steinfeld, Rep. Streeter, Rep. Svencer, Rep. Swindell, Rep. Warn and Rep. Watrous

## **2. COMMUNITY DEVELOPMENT & SERVICES - Chairman Pratt**

*No meeting, no report.*

## **3. EDUCATION - Chairman Swindell**

*No meeting, no report.*

## **4. RECREATION - Chairman Warn**

*No meeting, no report.*

## **5. PUBLIC SAFETY - Chairman Parfitt**

*No meeting, no report.*

**6. PUBLIC WORKS - Chairman Collins**

*No meeting, no report.*

**7. RULES & PROCEDURES - Chairman Scott**

*No meeting, no report.*

**9. CONSOLIDATION - Chairman Pasqualini**

*No meeting, no report.*

**K. OTHER BUSINESS**

*Rep. Pasqualini requested a referral to the Town Council for an investigation into the baseball field project at Fitch High School. He particularly questioned if the Town Charter has been violated by entering into a contract with a non-profit collegiate baseball team.*

*The Town Manager stated that the Town Council Committee of the Whole has this matter on their agenda next week.*

*A Motion was made by Rep. Sebastian and seconded by Rep. Kotowski that the Town Manager and Superintendent of Schools be directed to develop a budget for next fiscal year that will not increase property taxes.*

*POINT OF ORDER was raised by Republican Floor Leader Jackie Massett regarding Rep. Sebastian's comments and demeanor when making the motion. Moderator Power cautioned Rep. Sebastian to refrain from personal comments on individuals and remarks about their salaries.*

*Members discussed the appropriateness and legality of directives to the Town Manager and Board of Education and the uncertainty caused by the current revaluation in relation to next year's budget.*

*MOTION TO AMEND by rephrasing to ask the Town Manager and Superintendent of Schools to provide an option in the Town Manager's proposed budget which shows no increase in Town spending was made by Rep. Swindell, seconded by Rep. Parfitt.*

*Rep. Bauer will not support the motion or amendment. She feels that the needs of the Town are best identified by the Town Manager and that those needs determine the proposed budget.*

*Democratic Floor Leader Patrice Granatosky disagrees strongly with the motion and amendment on the floor. She questioned whether the motion violates RTM rule 4.3. She will not support this as an action of the RTM and recommends that Rep. Sebastian and other members who agree with him submit a personal letter to the Town Manager and Superintendent of Schools regarding suggestions for next year's budget.*

*Discussion continued on the legality of the RTM giving direction to Town staff, usurping the Town Manager's power to present his proposed budget, and taking away the Town Council and RTM's function of reviewing the budget.*

*A Republican caucus was called by Floor Leader Jackie Massett at 8:35 p.m. The meeting resumed at 8:55 p.m.*

*Moderator Power reiterated the amended motion, "that the Town Manager's proposed budget include a budget option that shows no increase in Town taxes." The Moderator stated that action on this motion would violate RTM Rule 6.5.1 by not requiring action by an RTM committee. Therefore a motion to suspend the rules is necessary.*

*Suspension of the Rules*

*A motion to suspend the rules in order to act on the motion on the floor was made by Moderator Power, seconded by Rep. Massett.*

*The vote to suspend the rules failed 1 in favor, 36 opposed. (In favor: Rep. Sebastian.)*

*Town Clerk Moukawsher congratulated all members on the election. She stated that there was a 21% voter turnout and announced that there are recounts possible in four districts unless waivers are submitted by Monday evening. She stated that the recount is scheduled for 8:00 a.m. on November 15 at the Town Hall Annex. She is looking forward to working with the members that are returning and recognized the dedicated work of the chairpersons and floor leaders.*

**L. ADJOURNMENT**

*A motion to adjourn at 9:00 p.m. was made by Moderator Power, seconded by Rep. Barnhart and so voted unanimously.*

*Attest:*

*Betsy Moukawsher, Town Clerk  
Clerk of the RTM*

*Sally A. Whitney, Assistant Town Clerk*